

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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## LAUSTEVEION JOHNSON.

Case No. 3:21-cv-00239-MMD-CLB

**Plaintiff.**

## ORDER

v.

MICHAELA GAROFALO, *et al.*

## Defendants.

11       Pro se Plaintiff Lausteveion Johnson has filed an updated application to proceed  
12      *in forma pauperis*. (ECF No. 17.) Based on the information regarding Johnson's financial  
13      status in the application, the Court will grant Johnson leave to proceed *in forma pauperis*  
14      but will require Johnson to pay an initial installment of the filing fee pursuant to 28 U.S.C.  
15      §1915. The grant of *in forma pauperis* status adjusts the amount of the filing fee Johnson  
16      must prepay—Johnson will be required to prepay an initial installment of \$297.23, instead  
17      of having to prepay the full \$350.00 filing fee for this action. The entire \$350.00 filing fee  
18      will, however, remain due from Johnson, and the institution where he is incarcerated will  
19      collect money toward the payment of the full filing fee when Johnson's institutional  
20      account has a sufficient balance, pursuant to 28 U.S.C. §1915. The entire \$350.00 filing  
21      fee will remain due and payable, and will be collected from Johnson's institutional account  
22      regardless of the outcome of this action.

23 It is therefore ordered that Plaintiff Lausteveion Johnson's application to proceed  
24 *in forma pauperis* (ECF No. 17) is granted. However, Johnson must pay an initial  
25 installment of the filing fee in the amount of \$297.23. Johnson will not be required to pay  
26 fees or costs, other than the filing fee, or give security therefor.

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It is further ordered that by April 15, 2022, Johnson will pay the initial installment of the filing fee to the Clerk of Court. Failure to comply with this order may result in the dismissal of this action.

It is further ordered that pursuant to 28 U.S.C. § 1915, as amended by the Prison Litigation Reform Act, the Nevada Department of Corrections will forward payments from the account of Lausteveion Johnson, # 82138, to the Clerk of the United States District Court, District of Nevada, 20% of the preceding month's deposits (in months that the account exceeds \$10.00) until the full \$350.00 filing fee has been paid for this action. The Clerk of Court is directed to send a copy of this order to the Finance Division of the Clerk's Office. The Clerk will send a copy of this order to the attention of Chief of Inmate Services for the Nevada Department of Corrections, P.O. Box 7011, Carson City, NV 89702.

It is further ordered that, even if this action is dismissed, or is otherwise unsuccessful, the full filing fee shall still be due, pursuant to 28 U.S.C. §1915, as amended by the Prisoner Litigation Reform Act.

DATED THIS 10<sup>th</sup> Day of March 2022.

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MIRANDA M. DU  
CHIEF UNITED STATES DISTRICT JUDGE